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SUBJECT: DRAFT BIOTECH REGULATION COULD DISRUPT MORE THAN 1 BILLION IN U.S. EXPORTS

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¶11. (SBU) Agricultural Affairs Office learned on October 9 that the Ministry of Agriculture intends shortly to issue a new regulation on agricultural biotechnology. As written, the regulation would have a drastic effect on U.S. agricultural exports valued at more than USD 1 billion per year. According to our source, the regulation may be issued at any time and will have a six-month implementation period.

¶12. (SBU) We had the opportunity to see a copy of the closely-held draft (please protect), which contains various requirements that are not only unscientific but also with which the United States would be unable to comply. For example:

-- exporting country governments must certify the precise transgenic content of every cargo;
-- Turkish processors must maintain separate lines for transgenic and conventional products;
-- products must be grown for three years in the country of origin before they can be approved for entry into Turkey;
-- all transgenes are banned in baby food, without reference to an assessment of actual risk;
-- the list of EU-approved transgenic events is not grandfathered, as had been the case in some previous draft regulations; and,
-- labeling of transgenic products above a 0.9 percent threshold is required, as in the EU.

¶13. (SBU) Currently, Turkey has no regulation in force regulating biotechnology. An unscientific biosafety law was drafted in 2007, but Turkish supporters of biotechnology, with USDA assistance, were able to block its approval.

¶14. (U) U.S. exports to Turkey of corn, soybeans, and their derivatives in 2008 were valued at USD 700 million; through August 2009 exports of these products are valued at USD 372 million. Exports of U.S. cotton, which might be affected by this regulation, were valued at USD 536 million in 2008 and USD 335 million through August. Turkey also imports transgenic soybeans and meal from Brazil and Argentina.

¶15. (SBU) Comment: The Agricultural Affairs Office has polled affected industry contacts such as the Feedmillers Association. At this point, none intend to make a representation to the GOT until the regulation is published.

Post strongly believes, however, that once the regulation is published, it will be much harder for the GOT to back down or modify the regulation. It is critical, therefore, to block this regulation before it is published in the Official Gazette. Turkey traditionally does not notify the WTO of proposed regulatory changes to permit trading partners to comment. End comment.

JEFFREY

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